

ENTERED

February 28, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

V.

BRIAN SWIENCINSKI,
SCOTT BREIMEISTER,
CHRISTOPHER INCE, and
RONNIE MCADA,

Defendants.

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Criminal No. 18-CR-368

ORDER

The Court has considered the United States' unopposed motion to exclude time under the Speedy Trial Act as to Defendant Christopher Ince ("Ince"). The Court finds that pursuant to 18 U.S.C. § 3161(h)(7), the ends of justice served by continuing the trial in this case outweigh the interest of the public and Defendant in a speedy trial in light of the ongoing plea negotiations which may make trial of this matter unnecessary and which have been the parties' focus since the date of severance. The period of delay resulting from the granting of this continuance from January 10, 2024, and February 22, 2024, shall be deemed excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), and (B)(iv), because the delay results from a continuance granted by the Court at the United States' request, on the basis of the Court's finding that: (1) the ends of justice served by the continuance outweigh the best interest of the public and the Defendant in a speedy trial; (2) failure to grant the continuance would likely to make a continuation of the proceeding impossible, or result in a miscarriage of justice; and (3) failure to grant the continuance would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation. The motion is therefore GRANTED.

It is ORDERED that a period of excusable delay shall consist of the period starting on January 11, 2024, through and including February 22, 2024.

It is so ORDERED.

Date: 2/27/24



The Hon. Alfred H. Bennett
United States District Judge